



Signature Report

December 18, 2006

Ordinance

Proposed No. 2006-0293.2

Sponsors Constantine and Hague

1 AN ORDINANCE relating to river and floodplain
2 management, adopting the 2006 King County Flood Hazard
3 Management Plan as a functional plan of the King County
4 Comprehensive Plan; and amending Ordinance 11112,
5 Section 1, and K.C.C. 20.12.480.

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8 **STATEMENT OF FACTS:**

9 1. Six major river systems flow through King County - the South Fork
10 Skykomish, Snoqualmie, Sammamish, Cedar, Green and White rivers -
11 and their significant tributaries, the Tolt, Raging, Miller and Greenwater
12 rivers. Other tributaries and smaller streams include Tokul creek, Kimball
13 creek, Coal creek (Snoqualmie), Issaquah creek, Fifteen Mile creek and
14 Holder creek.

15 2. River and stream flooding impact private property, businesses, public
16 and private infrastructure such as parks and utilities, transportation
17 corridors, and can directly and indirectly result in loss of life.

18 3. King County adopted the policies of the 1993 Flood Hazard Reduction
19 Plan as operating principles to guide King County's River Management
20 Program and to meet the intent of the water and natural resource policies
21 of the 1994, 2000 and 2004 King County Comprehensive Plans. The
22 Flood Hazard Reduction Plan is listed as a functional plan of the King
23 County Comprehensive Plan 2004 in Technical Appendix A (Capital
24 Facilities).

25 4. The 2006 Flood Hazard Management Plan is an update to the 1993
26 Flood Hazard Reduction Plan to respond to aging flood protection
27 infrastructure and unmet maintenance needs, new or updated federal
28 regulatory requirements, environmental impacts of past flood hazard
29 management practices and changes in watersheds since 1993.

30 5. The 2006 King County Flood Hazard Management Plan meets the
31 requirements of the National Flood Insurance Program's Community
32 Rating System, which provides a thirty-five-percent discount on federally-
33 backed flood insurance premiums for unincorporated King County
34 property owners. Savings are approximately two hundred eighty-three
35 dollars per year for the average flood insurance policy.

36 6. The 2006 King County Flood Hazard Management Plan complies with
37 the federal Disaster Mitigation Act and will assure that King County
38 remains eligible and competitive for state and federal programs providing
39 technical and financial assistance to local communities for flood hazard
40 management.

41 7. The 2006 King County Flood Hazard Management Plan considers the
42 impact of flood hazard management policies and actions on habitat for
43 Puget Sound Chinook salmon and bull trout, which are listed as threatened
44 under the federal Endangered Species Act.

45 8. The 2006 King County Flood Hazard Management Plan proposes
46 project actions to repair, replace, and in some cases remove, levee and
47 flood protection infrastructure to ensure King County can adequately
48 reduce flood risks and address critical infrastructure needs.

49 9. The 2006 King County Flood Hazard Management Plan is necessary to
50 protect life and safety, valuable public and private property, the regional
51 economy and general welfare of King County and its residents.

52 10. Implementation of the 2006 King County Flood Hazard Management
53 Plan will require additional funds to ensure timely implementation of the
54 projects and programs that are outlined in the Plan to reduce flood risks
55 and infrastructure needs on major rivers in King County and to address
56 sub-regional flood risks and infrastructure needs on tributaries, and that
57 carry out the flood risk policies and other policy objectives of the Plan, as
58 are identified by the Council, Executive and cooperating jurisdictions.

59 11. The King County Executive has transmitted an ordinance (2006-0334)
60 proposing the formation of a countywide flood control zone district and
61 the dissolution of existing flood control zone districts within the county.

62 12. Chapter 7 of the King County Flood Hazard Management Plan identifies the
63 creation of a countywide flood control zone district and an annual assessment as

the preferred alternative for financing of projects listed in the Plan. Proposed Ordinance 2006-0293 cannot and does not create a county flood control zone district or levy an assessment. Creation of such a district can only be accomplished through a separate legislative action by the council. The legislation to accomplish has been transmitted under Proposed Ordinance 2006-0334. Separate legislation would also be needed to levy an assessment.

13. Support for and approval of King County Flood Hazard Management Plan does not constitute a commitment, either by the council as a whole or by individual members of the council, to establish of a specific funding mechanism or tax assessment. Further deliberation on funding issues and discussions with other local governments in King County will take place as part of the Council's deliberation on Proposed Ordinance 2006-0334 establishing a County Flood Control Zone District.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 11112, Section 1, and K.C.C. 20.12.480 are each hereby amended to read as follows:

The King County Flood Hazard ~~((Reduction))~~ Management Plan ~~((policies))~~, as shown in Attachment ~~((A [to Ordinance 11112] and incorporated herein by reference, are))~~ A to this ordinance is adopted as ~~((operating principles))~~ a functional plan to guide King County's ~~((flood hazard reduction))~~ river and floodplain management program~~((s))~~ and to meet the intent of the ~~((water and natural resource))~~ natural environment, and facilities and services policies of the King County Comprehensive Plan. As an amplification and augmentation of the King County Comprehensive Plan, ~~((the policies))~~

87 the flood hazard management plan constitutes official county policy with regard to
88 ~~((flood hazard reduction and flood plain))~~ river and floodplain management in King
89 County. For each site-specific project, such as levee improvements or concentrated
90 areas of home buyouts or elevations, a project summary is included to provide a better
91 understanding of the flood or erosion conditions of concern and the action or actions
92 proposed to address them. Project summaries, and references to easements, buffers or
93 levee improvements (including levee laybacks) in connection with such project
94 summaries are intended to function at the level of planning documents and do not
95 assume that the nature and scope of each of the described projects are the final project or
96 action that are described in this chapter 5 or in Appendices E, F and G of Attachment A
97 to this ordinance. The proposed projects and actions are not intended to substitute for the
98 site-specific analysis to determine what is required for each of the site specific capital
99 projects that will be recommended and adopted as part of an annual capital improvement
100 plan. The priority, scope, nature and cost of the proposed projects or actions may change
101 as the hydraulic, engineering, and geotechnical conditions at each site are analyzed in
102 greater detail, and as engineering alternatives are developed, analyzed, reviewed and
103 negotiated with federal, state, local and tribal agencies and affected property owner(s).
104 Provided that, while the plan sets forth what the County currently believes are best
105 practices, nothing in this plan creates or precludes the creation of new land use
106 requirements, laws or regulations.

107 SECTION 2. It is the intent of the county to take timely action to ensure adequate
108 funding is available for the implementation of projects and programs that are outlined in
109 the Plan to reduce flood risks and infrastructure needs on major rivers in King County

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110 and to address such sub-regional flood risks and infrastructure needs on tributaries and in
111 jurisdictions that have regulations consistent with the Plan , that carry out the flood risk
112 policies and other policy objectives of the Plan, as may be identified by the Executive, his
113 staff and cooperating jurisdictions. Such sub-regional flood risks and infrastructure needs
114 as may be identified would also recognize past investments in flood risk reduction and
115 local cost shares for any future funding.

116 SECTION 3. Severability. If any provision of this ordinance or its application to
117 any person or circumstance is held invalid, the remainder of the ordinance or the
118 application of the provision to other persons or circumstances is not affected.
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KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Larry Phillips, Chair

ATTEST:

Anne Noris, Clerk of the Council

APPROVED this ____ day of _____, ____.

Ron Sims, County Executive

Ordinance

Attachments A. 2006 King County Flood Hazard Management Plan dated December 5, 2006